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Sutton Creations, Inc.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GRANVIA TRADING LTD.,

08 CV 00580 (LBS)

Plaintiff,

-against-

DEFALCI
ORDER AND JUDGMENT

SUTTON CREATIONS, INC.
d/b/a SUTTON CREATIONS,

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Defendant.

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SUTTON CREATIONS, INC.,

Third-Party Plaintiff,

-against-

GALIHAD ENTERPRISES LTD., BURLINGTON COAT
FACTORY WAREHOUSE CORPORATION,
SHERRY MILKEY, and DEVIN INDUSTRIES, LLC,

Third-Party Defendants.

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THIS ACTION having been commenced by the filing of a Complaint against Sutton Creations, Inc. on January 29, 2008; and Sutton Creations having filed a Third-Party Complaint against Galihad Enterprises Ltd. and others on March 31, 2008; and

Galihad Enterprises, Ltd. having been served with the Third Party Summons In A Civil Action and the Third Party Complaint on April 9, 2008; and Galihad Enterprises Ltd. having failed to answer, move or otherwise respond within the time required by law; and the Clerk of Court having issued a Clerk's Certificate of default on June 26, 2008;

NOW, on application of Third Party Plaintiff Sutton Creations, Inc., it is

ORDERED, ADJUDGED and DECREED that Sutton Creations, Inc., residing at 1407 Broadway, New York, New York, shall have judgment by default on the issue of liability against Third Party Defendant Galihad Enterprises Ltd., residing at 266 West 37th Street, 9th Floor, New York, New York 10018; and it is further

ORDERED, ADJUDGED and DECREED that Third Party Defendant Galihad Enterprises Ltd.'s monetary liability shall be fixed at 50% of the losses sustained by Sutton Creations, Inc., if any, by reason of the claims made by plaintiff against Sutton Creations, Inc., including any judgments, settlements and reasonable defense costs incurred in connection therewith; and it is further

ORDERED, ADJUDGED and DECREED that Sutton Creations, Inc. may apply for a determination by the Court of such monetary amounts, if any, to be imposed against Galihad Enterprises Ltd. at the appropriate time.

Dated: June 26, 2008



U.S.D.J.

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____